

SENATE BILL 2279  
By Haun

AN ACT to amend Tennessee Code Annotated, Section 68-11-106, relative to issuing a home health agency certificate of need for home health care to be provided in certain counties by a non-profit rural health services consortium.

WHEREAS, access to quality primary health care is a major concern to all Tennesseans;  
and

WHEREAS, securing adequate health care services in a timely manner for patients in remote areas is extremely difficult in many rural counties; and

WHEREAS, if an area of the state is fortunate enough to have access to quality health care, this general assembly should do everything in its power to ensure that these services are enhanced and preserved, not reduced; and

WHEREAS, the counties of Upper East Tennessee are extremely blessed to have accessible health care provided to their indigent and underserved communities by Rural Health Services Consortium, Inc.; and

WHEREAS, the competitiveness that has recently been introduced into the health care arena has resulted in increased competition for qualified health care professionals, and this trend has adversely affected this consortium and its ability to provide health care services; and

WHEREAS, because of the corporate structure of Rural Health Services Consortium, Inc., it is not eligible to apply for nor obtain a certificate of need as a home health agency; and

WHEREAS, Rural Health Services Consortium, Inc. has an agreement with Southern Residential Care Management, Inc. to provide home health medical services for Hawkins, Hancock, Hamblen, Greene, Sullivan, Washington, Unicoi, Carter, and Johnson Counties

provided, that Southern Residential Care Management, Inc. is able to obtain a certificate of need as a home health agency; and

WHEREAS, Rural Health Services Consortium, Inc. will actively participate in the governance of Southern Residential Care Management and receive all proceeds from care provided through a home health agency granted a certificate of need via this act; and

WHEREAS, there is great urgency that these counties continue to receive direly needed health care; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-106, is amended by adding the following language as a new, appropriately designated subsection:

( ) (1) Upon filing with the commission a statement of intent to provide home health services, a certificate of need for a home health agency shall be issued to a corporation which:

(A) Provides health care services, including but not limited to assisted living facilities, nursing homes, home health care and durable medical rentals in more than one (1) state; and

(B) Has entered into an agreement with a non-profit rural health services consortium to operate and manage the home health agency with all proceeds for health care provided through such agency to be for the benefit of and retained by such non-profit rural health services consortium.

(2) A non-profit rural health services consortium providing health care in those counties included in subdivision (3) shall operate and manage the home health agency granted a certificate of need under the provisions of this act in the manner provided in subdivision (1)(B).

(3) Upon receipt of such certificate of need, the non-profit rural health services consortium is authorized to provide home health services in counties having a population according to the 1990 federal census or any subsequent federal census of

not less than

nor more than

6,700

6,950

13,760

13,900

16,300

16,650

44,500

45,000

50,300

50,600

51,500

51,800

55,700

56,000

92,200

92,500

140,000

145,000

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.